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Washington, DC 20004-1206**Fax Transmittal**

December 23, 2005

<b>RECIPIENT NAME(S)</b>	<b>RECIPIENT FAX NUMBER(S)</b>	<b>RECIPIENT TELEPHONE NUMBER(S)</b>
Board of Patent Appeals and Interferences Attn: Dianne Maggard	(571) 273-0299	
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David R. Marsh	(202) 942-5068	982
<b>CLIENT/MATTER NUMBER</b>	<b>TIMEKEEPER NUMBER</b>	<b>NUMBER OF PAGE(S)</b>
16517.281	4979	We are transmitting 3 page(s) (Including this cover sheet)
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<b>MESSAGE</b>		

Rc: Appeal No. 2004-1480; Conf. No. 8885  
 U.S. Patent Appln. Ser. No. 09/732,627 filed December 8, 2000  
 Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
 Inventors: Karen L. FINCHER  
 Atty. Docket: 16517.281

Please see the attached Express Abandonment under 37 CFR § 1.138(a) for the above-identified application.

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December 23, 2005

VIA FACSIMILE

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Appeal No. 2004-1480  
Confirmation No. 8885

Re: U.S. Patent Application Serial No. 09/732,627 filed December 8, 2000  
Inventors: Karen L. FINCHER  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Atty. Dkt.: 16517.281

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office is an Express Abandonment under 37 C.F.R. § 1.138(a). This letter and its attachment are being sent via facsimile to the attention of the Board of Patent Appeals and Interferences.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Appellants do not believe any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docketing number 16517.281.

Sincerely,



David R. Marsh (Reg. No. 41,408)  
By Thomas E. Holsten (Reg. No. 46,098)

Attachment

I hereby certify that this transmittal and the attached Express Abandonment under 37 C.F.R. § 1.138(a) are being facsimile transmitted to the US PTO to the attention of the Board of Patent Appeals and Interferences via facsimile number (571-373-0299).



Sandra Tardiff

December 23, 2005  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Karen L. FINCHER

Appln. No.: 09/732,627

Filed: December 8, 2000

For: Nucleic Acid Molecules and Other Molecules Associated with Plants

Confirmation No.:	8885
Art Unit:	1631
Examiner:	L.A. Clow
Atty. Docket:	16517.281

## Express Abandonment Under 37 C.F.R. § 1.138(a)

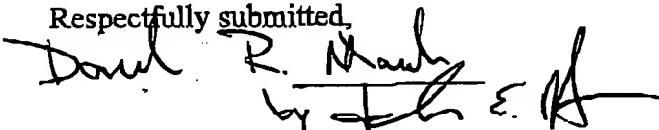
Mail Stop Express Abandonment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby expressly abandon U.S. Application Serial No. 09/732,627 under 37 C.F.R. § 1.138(a) in view of a continuing application filed on December 22, 2005.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below. The undersigned is an attorney of record and therefore has authority to expressly abandon the above-captioned U.S. application in favor of a continuing application filed on December 22, 2005.

Respectfully submitted,

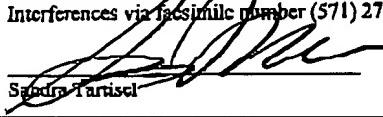


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Filed: December 23, 2005

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I hereby certify that the foregoing Express Abandonment under 37 C.F.R. § 1.138(a) is being facsimile transmitted to the U.S. Patent and Trademark Office to the attention of the Board of Patent Appeals and Interferences via facsimile number (571) 273-0299.



December 23, 2005  
Date